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F. WILLIAM MAHLEY
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August 25, 2005

VIA CERTIFIED MAIL, RRR AND FEDERAL EXPRESS

Ms. Barbara A. Nann, Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 6
Superfund Division (6RC-S)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Mr. M. Gary Miller, Remedial Project Manager
U.S. Environmental Protection Agency, Region 6
Superfund Division (6SF-AP)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

**RE: Modified Unilateral Administrative Order for Remedial
Investigation/Feasibility Study for the Gulfco Marine Maintenance, Inc. Site
(the "Site") in Freeport, Texas
CERCLA Docket No. 06-05-05
Site Access**



Dear Ms. Nann and Mr. Miller:

Pursuant to Paragraph 72 of the Modified Unilateral Administrative Order for Remedial Investigation/Feasibility Study ("UAO"), which was entered by the U.S. Environmental Protection Agency, Region 6 ("EPA") in the above-referenced matter, effective July 29, 2005, Respondents were required to obtain access to any area owned in whole or in part by parties other than Respondents necessary for performance under the UAO by August 29, 2005. I am writing on behalf of my client, Chromalloy American Corporation, and on behalf of The Dow Chemical Company and LDL Coastal Limited, L.P., to inform you of the status of our efforts to obtain such access.

As confirmed by Mr. Miller in the August 4, 2005 Scoping Meeting, we have been trying to obtain access from property owners from whom the need for access is currently known, i.e., for the property to the north and northeast of the Site (relative to Site property north of Marlin Ave.). Despite our diligent efforts, we will be unable to obtain access to these properties by August 29, 2005. To date, we have researched the Brazoria County Appraisal District's records to identify the property owners of the

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property to the north and northeast of the Site, we have prepared access agreements for these owners and are attempting to contact these owners regarding access.

Also, although not required because they are Respondents under the UAO, we have been attempting to obtain access agreements from two of the Site owners, Mr. Ron Hudson and Mr. Jack Palmer. While we have prepared access agreements to be signed by Mr. Hudson and Mr. Palmer, we have thus far been unable to confer with them regarding the necessary access to the Site. However, we have recently learned through communication with EPA, that both Mr. Ron Hudson and Mr. Jack Palmer have indicated willingness to grant the requested access. We have sent access agreements to these individuals and attempted to contact them by phone.

We expect to be able to secure the necessary access from the property owners for the property north and northeast of the Site (relative to Site property north of Marlin Ave) and from Messrs. Hudson and Palmer within the next sixty (60) days. Therefore, we respectfully ask that Chromalloy American Corporation, The Dow Chemical Company and LDL Coastal Limited, L.P. be given until October 28, 2005 to obtain the necessary access.

Thank you for your attention to this matter. Please let us know if EPA prefers another course of action be taken with respect to securing access to the Site.

Sincerely,

for 
F. William Mahley

FWM/nts/ksb

cc: Brent Murray
Jim Morriss
Scott Magelssen
Allen Daniels
Eric Pastor